

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Kymberly Richards	Team: Team # 4	CCRB Case #: 200512678	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 10/05/2005 5:00 PM	Location of Incident: West 128th Street & Lenox Avenue, Manhattan	Precinct: 32	18 Mo. SOL 4/5/2007	EO SOL 4/5/2007	
Date/Time CV Reported Wed, 10/19/2005 9:40 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 10/21/2005 1:00 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POF Melissa Clark	29494	932472	032 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Melissa Clark	Abuse: PO Melissa Clark threatened § 87(2)(b) with the use of force.	
B.POF Melissa Clark	Force: PO Melissa Clark used physical force against § 87(2)(b)	

Synopsis

On October 5, 2005, § 87(2)(b) was involved in a dispute with a passenger in his taxicab on West 128th Street and Lenox Avenue in Manhattan, when PO Melissa Clark responded to the scene. § 87(2)(b) was subsequently arrested for § 87(2)(b). On October 19, 2005, § 87(2)(b) filed a complaint through IAB, alleging that PO Clark informed him that she would “knock him out” (*allegation a: abuse of authority*) and proceeded to “hit him in the ribs” (*allegation b: physical force*). § 87(2)(b)'s complaint was referred to the CCRB where it was received on October 21, 2005. § 87(2)(g)

Several attempts were made to contact § 87(2)(b). Seven phone calls were placed to § 87(2)(b) between October 28, 2005 and January 20, 2006. Messages were left for § 87(2)(b) on his personal voice mail requesting that he contact this investigator to schedule an interview. Three letters were mailed to § 87(2)(b)'s residence between November 18, 2005 and January 20, 2006, informing him that in order to fully investigate his complaint, it is necessary for him to contact this investigator (none of these letters were returned to the CCRB, thus indicating that they were correctly addressed and received). § 87(2)(b) contacted the CCRB on December 23, 2005, and expressed his interest in pursuing his complaint however, § 87(2)(b) stated that he had obtained legal counsel, § 87(2)(b) who did not want him to provide an official statement. Up until this time, this is the extent of § 87(2)(b)'s involvement with this investigation.

When § 87(2)(b) was contacted on January 4, 2006, he was unaware of § 87(2)(b)'s CCRB complaint. § 87(2)(b) stated that he needed to speak with § 87(2)(b) regarding his complaint and that he would contact the CCRB with a decision about pursuing the complaint at a later date. Between December 28, 2005 and January 11, 2006 a total of four telephone calls and one letter was mailed to § 87(2)(b)'s law office. § 87(2)(b) contacted the CCRB on January 18, 2006, at which time he stated that § 87(2)(b) could provide an official statement. A letter was mailed to § 87(2)(b)'s residence on January 20, 2006, explaining that if he failed to contact the CCRB by January 27, 2006, his complaint would be closed without having been fully investigated. As of this date, § 87(2)(b) has not contacted the CCRB.

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: